

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	CRIMINAL NO: 03-10361-RWZ
v.)	
)	
SCOTT FINK)	
_____)	

GOVERNMENT'S STATUS REPORT ON FINK'S PRIOR CONVICTION

The United States of America, by and through its undersigned counsel, respectfully submits this status report on defendant Scott Fink's conviction in Fall River Case No. 9932-CR-0563.

1. On April 28, 1999, Fink was convicted in Fall River Case No. 9932-CR-0563 of assault and battery. He was given a two-year suspended sentence and placed on probation.

2. In the second half of 1999, while still on probation, Fink was charged in four other cases and pleaded guilty in all four. On December 8, 2005, the Honorable Gilbert J. Nadeau, Jr., granted Fink's motions to withdraw his guilty pleas in those four cases. On the same day, someone made an erroneous entry on the docket sheet of Case No. 9932-CR-0563 (the probation case) that read, "12-8-05 D's motion to withdraw guilty plea - allowed (Nadeau, J)." The entry was erroneous because a motion to withdraw guilty plea had neither been filed or granted in that case.

3. On September 21, 2007, the Commonwealth of

Massachusetts filed a motion to correct the docket in Case No. 9932-CR-0563 by striking the erroneous entry. On October 26, 2007, Judge Nadeau granted the motion. The last line of the docket sheet in Case No. 9932-CR-0563 now reads, "Motion to correct the record is allowed (Nadeau). 12-8-05 motion to withdraw guilty plea is stricken." A copy of the Commonwealth's motion (endorsed by Judge Nadeau) and a copy of the amended docket sheet are attached.

Respectfully submitted,

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By: /s/ William Weinreb
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